



Order Filed on January 3, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**Robertson, Anschutz, Schneid, Crane & Partners,
PLLC**

Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-888

Kimberly A. Wilson, Esquire
NJ BAR #031441997

In Re:

Morgan P Levally,

dba DBA Morgan Marine, LLC

Debtor,

Patricia E Levally,

Joint Debtor.

Case No.: 19-23417-JNP

Chapter: 13

Hearing Date: June 21, 2022

Judge: Jerrold N. Poslusny Jr.

Recommended Local Form:

☒ Followed

☐ Modified

ORDER VACATING STAY

DATED: January 3, 2023

The relief set forth on the following page, is hereby **ORDERED**.

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtors:

Case No.:

Caption of Order: **Order Vacating Stay**

Upon the motion of US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST, ("Secured Creditor") under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue Secured Creditor's rights in regard to the following:

☒ Real property more fully described as:

105 Firth Drive, Mantua, NJ 08051.

It is further ORDERED that Secured Creditor, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff's sale (purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that Secured Creditor may join the Debtors and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other Chapter of the Bankruptcy Code.

Secured Creditor shall serve this Order on the Debtors, any trustee, and any other party who entered an appearance on the motion.

In re:
Morgan P Levally
Patricia E Levally
Debtors

Case No. 19-23417-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Jan 05, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 07, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Morgan P Levally, Patricia E Levally, 105 Firth Drive, Mantua, NJ 08051-1903

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 07, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 5, 2023 at the address(es) listed below:

Name	Email Address
Aleisha Candace Jennings	on behalf of Creditor USAA FEDERAL SAVINGS BANK ajennings@raslg.com
David Nigro	on behalf of Joint Debtor Patricia E Levally jenkins.clayman@verizon.net
David Nigro	on behalf of Debtor Morgan P Levally jenkins.clayman@verizon.net
Denise E. Carlon	on behalf of Creditor Select Portfolio Servicing Inc. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Harold N. Kaplan	on behalf of Creditor Select Portfolio Servicing Inc. hkaplan@rasnj.com, kimwilson@raslg.com
Harold N. Kaplan	

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on behalf of Creditor US BANK TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY
AS OWNER TRUSTEE FOR VRMTG ASSET TRUST hkaplan@rasnj.com, kimwilson@raslg.com

Harold N. Kaplan

on behalf of Creditor Nationstar Mortgage LLC hkaplan@rasnj.com kimwilson@raslg.com

Harold N. Kaplan

on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER hkaplan@rasnj.com kimwilson@raslg.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Jeffrey E. Jenkins

on behalf of Debtor Morgan P Levally mail@jenkinsclayman.com JenkinsClayman@jubileebk.net

Jeffrey E. Jenkins

on behalf of Joint Debtor Patricia E Levally mail@jenkinsclayman.com JenkinsClayman@jubileebk.net

Kimberly A. Wilson

on behalf of Creditor US BANK TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY
AS OWNER TRUSTEE FOR VRMTG ASSET TRUST k_wilsonlaw@comcast.net,
courtdocs_kwlaw@comcast.net;kwlawoffices@gmail.com

Rhondi L. Schwartz

on behalf of Debtor Morgan P Levally mail@jenkinsclayman.com

Rhondi L. Schwartz

on behalf of Joint Debtor Patricia E Levally mail@jenkinsclayman.com

Sindi Mncina

on behalf of Creditor US BANK TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY
AS OWNER TRUSTEE FOR VRMTG ASSET TRUST smncina@raslg.com

Stephanie F. Ritigstein

on behalf of Joint Debtor Patricia E Levally mail@jenkinsclayman.com kevin@jenkinsclayman.com

Stephanie F. Ritigstein

on behalf of Debtor Morgan P Levally mail@jenkinsclayman.com kevin@jenkinsclayman.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 19